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## Board of Health Minutes 02/06/2014

### Town of Mashpee

*16 Great Neck Road North  
Mashpee, Massachusetts 02649*

#### BOARD OF HEALTH – PUBLIC SESSION

##### Minutes of the Meeting of February 6, 2014

**Board Members Present:**

Lucy Burton, Co-Chair  
Burton Kaplan, Clerk

**Members Absent:**

Kalliope Egloff, Chair

**Also Present:**

Glen Harrington, Health Agent

Co-Chair Lucy Burton called the meeting to order at 7:05 PM.

**APPOINTMENTS****7:15 PM – Genesis Health Care – 2014 Food Establishment License Violation.**

Shauna Weeks of Genesis Health Care introduced herself to the Board.

Shauna Weeks commented that invoices are not paid from the facility. The procedure is that all bills go to Kennett Square, Pennsylvania, the home office. This particular process took 5 months to generate a check for the 2014 Food Establishment License which was received in the Board of Health office on January 22, 2014. The application and fee were to be submitted by December 31, 2013.

Lucy Burton stated that Genesis Health Care paid a double fee for the late submittal of the 2014 Food Establishment renewal. Further fines will not be issued but cautioned Ms. Weeks not to allow this to happen again.

**7:20 PM – Jim Vaccaro – Variance Request – 3 Niblick Way.**

Glen Harrington commented that a septic inspection was performed on March 23, 2012, and the septic tank was identified to be over 30 years old. At that time the Board of Health regulation stated that a septic tank over 30 years of age must be replaced. The distribution box and leach pit had setback issues because of the illegally installed garage.

Jim Vaccaro, representing Anthony Disanzo of 3 Niblick Way, introduced himself to the Board.

Mr. Vaccaro commented that the house at 3 Niblick Way is under agreement. Mr. Disanzo is willing to make the changes recommended by the Board of Health. The leaching pit is accessible, but the distribution box will be relocated so that it is compliant. The septic tank was pumped and re-evaluated by Frank Nunes on January 17, 2014, according to the newly amended septic inspection regulation.

Burton Kaplan made a motion that the Board of Health approve the variance request for 3 Niblick Way to have the septic tank remain in service per the inspection, replace and relocate the distribution box, and allow the leach pit to remain as is. Lucy Burton seconded the motion. The motion was unanimously approved.

**7:25 PM – Richard Capen – Variance Request – 32 Sunset Circle.**

Joao Junquerira of Capewide Enterprises, representing Walter Phillips of 32 Sunset Circle, introduced himself to the Board.

Glen Harrington commented that the plan was designed by J. C. Engineering for the repair of the leaching facility at 32 Sunset Circle. The test holes for the design were collapsing so groundwater was not encountered. The plan was submitted with a five-foot setback to groundwater to be checked during installation. Because of site constraints only four feet to groundwater was obtained. An after-the-fact groundwater variance was required for Board approval.

John Churchill of J. C. Engineering introduced himself to the Board.

Burton Kaplan made a motion that the Board of Health approve the variance request for 32 Sunset Circle for a new Soil Absorption System to be four feet above groundwater in lieu of the required five feet. Lucy Burton seconded the motion. The motion was unanimously approved.

**7:30 PM – Alexander MacLellan – Title V Variance – 403 Great Oak Road.**

Alexander MacLellan, owner of 403 Great Oak Road, introduced himself to the Board.

Glen Harrington remarked that this property had a previous Title V design plan approved with variances, but the permit expired and so the variances expired. The same plan has been resubmitted with the same variances.

Burton Kaplan made a motion that the Board of Health approve the variance request for 403 Great Oak Road to allow a new Soil Absorption System to be installed 59 feet from the coastal bank in lieu of the required 150 feet to include a FAST denitrification system and an ultraviolet light as part of the mitigation. Lucy Burton seconded the motion. The motion was unanimously approved.

**NEW BUSINESS**

**1. Sign Expense Warrants.** The Board members signed the expense warrants.

**2. Review/Approve BOH Public Session Minutes: January 8, 2014.**

Approval of the Board of Health January 8, 2014, Public Session minutes was continued until the next Board of Health meeting with a full Board in attendance.

**OLD BUSINESS**

**1. 600 Gallons per Day Regulation: Draft Amendment.**

The Board continued discussion on the draft amendment for the 600-gallon per day regulation until the next Board of Health meeting scheduled on February 20, 2014, with a full Board in attendance.

**2. 87 Lighthouse Lane.**

The Board continued discussion on 87 Lighthouse Lane to the next Board of Health meeting until a decision from the Barnstable County Septic Loan Program is rendered.

Lucy Burton made a motion that the Board of Health continue discussion on 87 Lighthouse Lane until the next Board of Health meeting scheduled on February 20, 2014. Burton Kaplan seconded the motion. The motion was unanimously approved.

**ADDITIONAL TOPICS**

**1. Santuit Pond Algae Toxin Testing.**

Lucy Burton made a motion that the Board of Health add Santuit Pond Algae Toxin Testing to the Agenda. Burton Kaplan seconded the motion. The motion was unanimously approved.

Glen Harrington stated that the State Department of Public Health will not be performing the algae and toxin testing for Santuit Pond during the 2014 bathing beach season. The pond has been tested for the past 5 years, from 2009 through 2013, by the Department of Public Health. There was only one weekly reading in five years that was above the recommended guidelines, which was the drinking water guideline not the recreational water threshold.

Mr. Harrington will contact the Department of Public Health with questions concerning possible funding for testing and if there can be some toxin at threshold levels without a full algae bloom.

**DISCUSSION**

**1. Semi-Annual Environmental Monitoring Report: Asher's Path Landfill.**

The Board reviewed and discussed the water quality testing and standards printed in the semi-annual environmental monitoring report submitted by Green Seal Environmental.

Glen Harrington commented that funds have been maintained in the Capital Improvement Program in order to make repairs to the Landfill.

Burton Kaplan suggested that Green Seal Environmental be notified of the installation of the solar farm and possible berm damage to the Landfill.

**2. Title V Changes.**

The Board continued discussion on the Title V changes until the next Board of Health meeting scheduled on February 20, 2014, with a full Board in attendance.

**NEXT MEETING**

The next meeting of the Board of Health is scheduled for Thursday, February 20, 2014, at 7:00 PM. As there was no further business, Lucy Burton made a motion to adjourn the Public Session Meeting of the Board of Health at 7:40 PM. Burton Kaplan seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos  
Administrative Assistant  
Mashpee Board of Health

attachments